

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

The agency identified below in box 1 provides notice of proposed rule change pursuant to *Utah Code* Sections 63-46a-4. Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the *Utah State Bulletin* unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:		Date filed:	
Utah Admin. Code ref. (R no.):	R156-55b	Time filed:	
Changed to Admin. Code Ref. (R no.):			

1.	Agency:	Commerce/Division of Occupational and Professional Licensing		
	Room no.:			
	Building:	Heber M. Wells Building		
	Street address 1:	160 East 300 South		
	Street address 2:			
	City, state, zip:	Salt Lake City UT 84111-2316		
	Mailing address 1:	PO Box 146741		
	Mailing address 2:			
	City, state, zip:	Salt Lake City UT 84114-6741		
	Contact person(s):			
	Name:	Phone:	Fax:	E-mail:
	Dennis Meservy	801-530-6375	801-530-6511	dmeservy@utah.gov

(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)

2.	Title of rule or section (catchline):
	Electricians Licensing Rules
3.	Type of notice:
	New ___; Amendment XX; Repeal ___; Repeal and Reenact ___
4.	Purpose of the rule or reason for the change:
	The Division and the Electricians Licensing Board are proposing amendments to this rule to update statute citations as a result of the governing statute, Title 58, Chapter 55 being amended by several bills during the 2008 Legislative Session (HB 401, HB 459, SB 228 and SB 295). Proposed amendments are also clarifying definitions, education and experience requirements, work experience for residential journeyman and journeyman electricians, examination requirements, continuing education, conduct of apprentice and supervising electrician and unprofessional conduct.
5.	This change is a response to comments from the Administrative Rules Review Committee.
	Yes ___; No XX
6.	Summary of the rule change:

Throughout the rule, statute citations have been updated where needed. Also throughout the rule the term "rules" has been replaced with "rule" where applicable. Section 102: The installation of a disconnecting means or outlet has never been allowed under minor electrical work. However, for clarification this amendment is being added to the rule. Unlicensed persons can assist in large wire pulls. The size of the wire for the large wire pull needed to be defined and has been defined as wire conduit of two inches or larger, Section 302b now renumbered as Section 302a with respect to education and experience requirements: Under the existing rule, the electrical curriculum of study is approved by the Utah Board of Regents. The Board of Regents, however, are not approving the curriculum of study for the state applied technology colleges. Under the proposed amendments the curriculum of study for a residential journeyman electrician or a journeyman electrician consists of the 2008-2009 edition of the curriculum of study for the Independent Electrical Contractors or the 2007-2008 edition of the curriculum of study for the National Joint Apprenticeship Training Committee for the International Brotherhood of Electrical Workers or an equivalent curriculum which is approved by the Board. Currently the trade schools are giving students competency tests. The students are required to take the competency test after completing a semester of school and passing the test is required before a student can move forward with schooling. Provisions for this competency testing is added to the rule. Section 302c now renumbered as Section 302b with respect to work experience for residential journeyman and journeyman electricians: Amendments are made in this section to change the required work experience hours from approximate hours to minimum hours required. Section 302a which is now renumbered as Section 302c with respect to examination requirements: Under the existing rule an applicant is allowed with prior approval to take the licensing examination twice with at least 30 days between the part of the examination failed. An applicant is given six months to complete the licensing examinations. An applicant to fails the examination twice is to meet with the Board. The Board then outlines a remedial program of education or work experience. The proposed amendments to this section would allow an applicant to take the licensing examination three times with at least 25 days between each test failure. The practical section of the examination is given once a month and often is given just days prior to the 30 day waiting period. The proposed amendment would allow an applicant to retake the practical section of the examination without having to wait approximately 60 days before taking the test again. If an applicant does not pass all sections of the examination within three attempts or within six months, whichever occurs first, the applicant's application for licensure would be denied. Section 304 regarding continuing education: Added that continuing education courses and instructors shall be approved by the Electricians Licensing Board. Section 401 regarding conduct of apprentice and supervising electrician. Minor amendments are made to this section to further clarify responsibilities. Section 501 regarding unprofessional conduct: updated the wording with respect to the failure of an electrical contractor to certify an electrician's work experience hours and added as unprofessional conduct the failure of a licensee to provide proof of completed continuing education within 30 days of the Division's request.

7. Aggregate anticipated cost or savings to:

A) State budget:

The Division will incur minimal costs of approximately \$100 to reprint the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.

B) Local government:

The proposed amendments do not apply to local governments. Proposed amendments only apply to licensed electricians and applicants for licensure as an electrician.

C) Small businesses (fewer than 50 employees) AND persons other than businesses:

	<p>The proposed amendments only apply to licensed electricians and applicants for licensure as an electrician. Some of these classifications to whom the proposed amendments apply may be considered a "small business". Employers often assist their employees with the cost of becoming licensed as a journeyman electrician and many of these employers have less than 50 employees. Instead of the ability to test two times, under the proposed amendments an applicant would be able to test a third time. The cost for the testing, depending on the number of test sections taken, would range from \$72 to \$432 per applicant. An applicant who fails the examination after three times may submit a new application which includes a fee of \$110. The number of applicants submitting a new application or the number of applicants needing to retake sections of the licensing examination is not know to the Division. However, the numbers should be reduced due to an applicant's ability to take the examination one additional time. Currently those applicants who fail the examination after two attempts are required by the Board to attend a semester of school as remedial education. With the proposed amendments, the remedial education provision is removed thus potentially saving an applicant both time and money at an average of \$454 for a semester of school.</p>																	
8.	<p>Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization or any character other than an agency):</p> <p>The proposed amendments only apply to licensed electricians and applicants for licensure as an electrician. Instead of the ability to test two times, under the proposed amendments an applicant would be able to test a third time. The cost for the testing, depending on the number of test sections taken, would range from \$72 to \$432 per applicant. An applicant who fails the examination after three times may submit a new application which includes a fee of \$110. However, the numbers should be reduced due to an applicant's ability to take the examination one additional time. Currently those applicants who fail the examination after two attempts are required by the Board to attend a semester of school as remedial education. With the proposed amendments, the remedial education provision is removed thus potentially saving an applicant both time and money at an average of \$454 for a semester of school.</p>																	
9.	<p>Comments by the department head on the fiscal impact the rule may have on businesses:</p> <p>This rule filing corrects statutory references, clarifies certain licensing exemptions, clarifies the language in various provisions, reorganizes the numbering the of the education, experience and examination provisions to coincide with the umbrella statute, permits applicants to take a required examination a maximum of three times and makes it unprofessional conduct to fail to provide proof of completed continuing education within 30 days of a request. No fiscal impact to businesses is anticipated from this filing beyond those discussed in the rule summary. Francine A. Giani, Executive Director</p>																	
10.	<p>This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required): Subsections 58-1-106(1)(a), 58-1-202(1)(a), 58-55-308(1)</p>																	
11.	<p>This rule adds, updates, or otherwise changes the following titles of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank):</p> <p>Adds the 2008-2009 edition of the curriculum of study for the Independent Electrical Contractors and the 2007-2008 edition of the curriculum of study for the National Joint Apprenticeship Training Committee for the International Brotherhood of Electrical Workers</p>																	
12.	<p>The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the <i>Utah State Bulletin</i>. See Section 63-46a-5 and Rule R15-1 for more information.)</p> <table border="1"> <tr> <td colspan="2">A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):</td> <td>10/01/2008</td> </tr> <tr> <td colspan="3">B) A public hearing (optional) will be held:</td> </tr> <tr> <td>on (mm/dd/yyyy):</td> <td>at (time):</td> <td>At (place):</td> </tr> <tr> <td>09/24/2008</td> <td>9:00 am</td> <td>160 East 300 South, Conference Room 474, Salt Lake City, Utah</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>			A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):		10/01/2008	B) A public hearing (optional) will be held:			on (mm/dd/yyyy):	at (time):	At (place):	09/24/2008	9:00 am	160 East 300 South, Conference Room 474, Salt Lake City, Utah			
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13.	This rule change may become effective on (mm/dd/yyyy):	10/08/2008	
NOTE: The date above is the date on which this rule MAY become effective. It is <i>NOT</i> the effective date. After the date designated in Box 12(A) above, the agency <i>must</i> submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.			
14.	Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "NASA") or proper nouns (e.g., "Medicaid")):		
	occupational licensing	licensing	
	contractors	electricians	
15.	Attach an RTF document containing the text of this rule change (filename):	R156-55b.pro	
To the agency: Information requested on this form is required by Sections 63-46a-4, 5, 6, and 10. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> , and delaying the first possible effective date.			
AGENCY AUTHORIZATION			
Agency head or designee, and title:	F. David Stanley, Director	Date (mm/dd/yyyy):	08/01/2008

R156. Commerce, Occupational and Professional Licensing.

R156-55b. Electricians Licensing Rule[s].

R156-55b-101. Title.

Th[ese]is rule[s-are] is known as the "Electricians Licensing Rule[s]".

R156-55b-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 55, as used in Title 58, Chapter 55 or th[ese]is rule[s]:

(1) "Electrical work" as used in Subsection 58-55-102(13)(a) and in th[ese]is rule[s] means installation, fabrication or assembly of equipment or systems included in "Premises Wiring" as defined in the edition of the National Electrical Code, as identified in Subsection R156-56-701(1)(b) which is hereby adopted and incorporated by reference. Electrical work includes installation of raceway systems used for any electrical purpose, and installation of field-assembled systems such as ice and snow melting, pipe-tracing, manufactured wiring systems, and the like. Electrical work does not include installation of factory-assembled appliances or machinery that are not part of the premises wiring unless wiring interconnections external to the equipment are required in the field, and does not include cable-type wiring that does not pose a hazard from a shock or fire initiation standpoint as defined in the National Electrical Code. Wiring covered by the National Electrical Code that does not pose a hazard as described above includes Class 2 wiring as defined in Article 725, Power-Limited circuits as defined in Article 760 and wiring methods covered by Chapter 8. All [Ø]other wiring[, ~~including wiring under 50 volts~~] is subject to licensing requirements.

(2) "Minor electrical work incidental to a mechanical or service installation" as used in Subsection 58-55-305(1)(n) means the electrical work involved in installation, replacement or repair of appliances or machinery that utilize electrical power. [These installations do]Minor electrical work does not include modification or repair of "Premises Wiring" as defined in the National Electrical Code, and does not include installation of a disconnecting means or outlet. Electrical work is minor and incidental only when wiring is extended no more than ten feet in length from an outlet or disconnect provided specifically for the piece of equipment.

(3) "Residential project" as used in Subsection 58-55-302(3)([h]j)(ii) pertains to supervision and means electrical work performed in residential dwellings [under four]of up to three stories and will include single and multi family dwellings[, ~~apartment complexes, condominium complexes and plated subdivisions~~].

(4) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 55, is further defined, in accordance with Subsection 58-1-203(1)(e), in Section R156-55b-501.

(5) "Work commonly done by unskilled labor" as used in Subsection 58-55-102(13)(b)(iii) means work such as digging, sweeping, hammering, carrying, drilling holes, or other tasks that do not directly involve the installation of raceways, conductors, cables, wiring devices, overcurrent devices, or distribution equipment. ~~[Tasks such as handling]~~ Unlicensed persons may handle wire on large wire pulls involving conduit of two inches or larger or assist[ing] in moving heavy electrical equipment [may utilize unlicensed persons] when the task is performed in the immediate presence of and supervised by properly licensed [persons] master, journeyman, residential master or residential journeyman electricians acting within the scope of their licenses. [Tasks that are normally performed by the skilled labor of other trades, such as operating heavy equipment, driving, forming and pouring concrete, welding and erecting structural steel shall not be considered part of the electrical trade.]

R156-55b-103. Authority.

~~Th[ese]is~~ is rule ~~[s-are]~~ is adopted by the division under the authority of Subsection 58-1-106(1)(a) to enable the division to administer Title 58, Chapter 55.

R156-55b-302[b]a. Qualifications for Licensure - Education and Experience Requirements.

(1) In accordance with Subsection 58-55-302(3)(~~[g]~~i)(i), the approved electrical training program for licensure as a residential journeyman electrician consists of:

(a) the 2008-2009 edition of the curriculum of study for the Independent Electrical Contractors or the 2007-2008 edition of the curriculum of study for the National Joint Apprenticeship Training Committee for the International Brotherhood of Electrical Workers, which are hereby incorporated by reference, or an equivalent approved by the Board~~[a curriculum of electrical study approved by the Utah Board of Regents or other curriculum that is deemed substantially equivalent]~~; and

(b) at least two years of work experience as a licensed apprentice consistent with Section R156-55b-302~~[e]~~b.

(2) In accordance with Subsection 58-55-302(3)(~~[f]~~h)(i), the approved four year planned training program for licensure as a journeyman electrician consists of:

(a) the 2008-2009 edition of the curriculum of study for the Independent Electrical Contractors or the 2007-2008 edition of the curriculum of study for the National Joint Apprenticeship

Training Committee for the International Brotherhood of Electrical Workers, which are hereby incorporated by reference, or an equivalent approved by the Board[a curriculum of electrical study approved by the Utah Board of Regents or other curriculum that is deemed substantially equivalent]; and

(b) at least four years of work experience as a licensed apprentice consistent with Section R156-55b-302[e]b.

(3) [In accordance with Subsections 58-55-302(3)(d)(i), an approved course of study for a graduate of an electrical trade school is a curriculum of electrical study approved by the Utah Board of Regents or other curriculum that is deemed substantially equivalent.]A semester of school shall include at least 81 hours of classroom instruction time. A student shall attend a minimum of 72 hours to receive credit for the semester.

(4) [It shall be the responsibility of the applicant to provide adequate documentation to establish equivalency.]A competency exam shall be given to each student at the end of each semester with the exception of the fourth year second semester. A student, to continue to the next semester, shall achieve a score of 75% or higher on the competency exam. A student who scores below 75% may retake the test one time.

(5) [In accordance with Subsection 58-55-302(3)(d)(i), an approved college or university shall be accredited by the Engineering Accreditation Commission/Accreditation Board for Engineering and Technology or the Canadian Engineering Accrediting Board.]The applicant shall pass each class with a minimum score of 75%.

(6) Competency test results shall be provided to the Board at the Board meeting immediately following the semester in a format approved by the Board.

(7) An applicant for a master electrician license, applying pursuant to Subsection 58-55-302(3)(f)(i) shall be a graduate of an electrical program accredited by the Engineering Accreditation Commission/Accreditation Board for Engineering and Technology (EAC/ABET).

(8) An applicant shall provide documentation that all education and experience meets the requirements of this rule.

R156-55b-302[e]b. Qualifications for Licensure - Work Experience - Residential Journeyman and Journeyman Electricians.

(1) In [accordance with]order to satisfy Subsections 58-55-302(3)[(d), (e), (f) and (g)](h) and (i), an applicant for a license as a residential journeyman electrician or journeyman electrician shall document the following on-the-job work experience:[the practical electrical experience, course of study, practical experience, planned training program, or electrical training program shall include on-the-job work

~~experience in the following categories and approximate hours:]~~

~~(a) Residential Journeyman Electrician: [approximately 3000-4800 hours residential journeyman electrician; 4000-6400 hours journeyman electrician in raceways, boxes and fittings, wire and cable to include conduit, wireways, cableways and other raceways and associated fittings, individual conductors and multiconductor cables, and nonmetallic-sheathed cable;]~~

~~(i) at least 600 hours in boxes and fittings, conduit, wireways and cableways and associated fittings;~~

~~(ii) at least 3000 hours in wire and cable, individual conductors and multi-conductors cables, and non-metallic sheathed cable;~~

~~(iii) at least 300 hours in distribution and utilization equipment, transformers, control panels, disconnects, motor starters, lighting fixtures, heaters, appliances, motor and other distribution or utilization equipment; and~~

~~(iv) at least 300 hours in specialized work including grounding, wiring of systems for sound, data, communication, alarms, automated systems, generators, batteries and computer equipment.~~

~~(b) Journeyman electrician: [approximately 600-1200 hours residential journeyman electrician; 800-1600 hours journeyman electrician in wire and cable to include individual conductors and multi-conductor cables;]~~

~~(i) at least 4000 hours in raceways, boxes and fittings, conduit, wireways, cableways and other raceways and associated fittings, and non-metallic sheathed cable;~~

~~(ii) at least 800 hours in wire and cable, individual conductors and multi-conductor cables;~~

~~(iii) at least 400 hours in distribution and utilization equipment including transformers, panel boards, switchboards, control panels, disconnects, motor starters, lighting fixtures, heaters, appliances, motors and other distribution and utilization equipment; and~~

~~(iv) at least 400 hours in specialized work including grounding, wiring of systems for sound, data, communication, alarms, automated systems, generators, batteries and computer equipment.~~

~~[(c) approximately 300-900 hours residential journeyman electrician; 400-1200 hours journeyman electrician in distribution and utilization equipment to include transformers, panel boards, switchboards, control panels, disconnects, motor starters, lighting fixtures, heaters, appliances, motors, and other distribution and utilizations equipment; and~~

~~(d) approximately 300-900 hours residential journeyman electrician; 400-1200 hours journeyman electrician in specialized work to include grounding, wiring of systems for~~

~~sound, data, communications, alarms, automated systems, generators, batteries, computer equipment, etc.]~~

(2) ~~[Each year of work experience shall include at least 2000 hours and may be obtained in one or more years.]~~ No more than ~~[one year]~~ 2000 hours of work experience may be credited for each 12 month period.

(3) No credit will be given for work experience performed illegally.

R156-55b-302[a]c. Qualifications for Licensure - Examination Requirements.

(1) In accordance with Subsection 58-55-302(1)(c)(i), an applicant for licensure under this rule shall pass the appropriate examinations which are approved by the Board~~[the following examinations]~~, each of which shall consist~~[ing]~~ of a theory ~~[section]~~part, a code ~~[section]~~part and a practical ~~[section]~~part as follows~~[, are approved by the division in collaboration with the board]~~:

(a) Utah Electrical Licensing Examination for Master Electricians;

(b) Utah Electrical Licensing Examination for Master Residential Electricians;

(c) Utah Electrical Licensing Examination for Journeyman Electricians; and

(d) Utah Electrical Licensing Examination for Residential Journeyman Electricians.

(2) Upon completing the requirements for licensure set forth in Sections R156-55b-302a and R156-55b-302b, the applicant shall obtain approval from the Division permitting the applicant to take the examination.

~~[(2)]~~ 3) The minimum passing score for each section of the examination is as follows:

~~—(a)—~~ the applicant [must] shall obtain a "pass" grade on the practical [section]part of the examination, ~~[; and~~

~~—(b)— the applicant must obtain]~~ a score of at least 75% on [both]the theory [section]part and a score of at least 75% on the code [section]part of the examination.

(4) If an applicant fails one or more of the parts of the examination, the applicant shall retake the part or parts of the examination failed no more than two additional times, with at least 25 days between tests.

(5) If an applicant does not pass the failed part of the examination upon the second retake or within six months of initially being approved to test, whichever occurs first, as provided in Subsection (4), the application shall be denied.

~~[(3)]~~ If an applicant passes any one section of the examination and fails any one or more of the other sections, he

~~is only required to retake the section of the examination failed. There must be a minimum of 30 days between the first test and the retake of any failed section. Test approval letters expire six months from the date of issue. Reapplication for licensure is required to obtain a new test authorization letter.~~

~~(4) Admission to the examination is permitted in the form of a letter from the Division after the applicant has completed all requirements for licensure set forth in Sections R156-55b-302b and R156-55b-302c.~~

~~(5) An examinee who fails any section of the Utah Electricians Licensing Examination two times shall not be permitted to retake the examination until:~~

~~(a) the examinee meets with the board and the board outlines a required remedial program of education or experience of up to one year in length which must be completed before the examinee may again take the examination; and~~

~~(b) upon successful completion of the required remedial program of education or experience, the examinee shall apply to the Division to retake the failed portion of the examination a maximum of two times with at least 30 days between tests. Failure to pass all required portions of the examination upon retake shall result in denial of their application for licensure. An applicant continuing to seek licensure must reapply for licensure by filing a new application with the required fee and may do so only after completing additional remedial education and experience as determined by the Division and the Board.]~~

R156-55b-303. Renewal Cycle - Procedures.

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licensees under Title 58, Chapter 55 is established by rule in Section R156-1-308a.

(2) Renewal procedures shall be in accordance with Section R156-1-308[a].

R156-55b-304. Continuing Education.

(1) In accordance with Subsections 58-1-203(1)(g) and 58-1-308(3)(b), there is created a continuing education requirement as a condition for renewal or reinstatement of master, journeyman, residential master, residential journeyman and apprentice electrician licenses issued under Title 58, Chapter 55.

(2) Continuing education shall consist of 16 hours of course work in each preceding two year period of licensure or expiration of licensure.

(3) A minimum of eight hours shall be on the current

edition of the National Electrical Code, as identified in Subsection R156-56-701(1)(b).

(4) The licensee is responsible for maintaining competent records of completed qualified continuing education for a period of four years after the close of the two year renewal period to which the records pertain.

(5) The standards for qualified continuing education are as follows:

(a) courses and instructors shall be approved by the Electricians Licensing Board;

(b) the content must be relevant to the electrical trade and consistent with the laws and rules of this state;

(~~b~~)c) an instructor must either be currently teaching or have taught courses related to the electrical trade within the preceding two years for one of the following:

(i) a trade school, college or university whose electrical program is approved in accordance with Subsections R156-55b-302(~~b~~)a(1)(a) and (~~5~~)3;

(ii) a professional association or organization representing licensed electricians whose program objectives relate to the electrical trade;

(iii) the licensing agency of another state;

(iv) a federal or other Utah agency or another state's agency; or

(v) the Division's Building Codes Education program.

(6) Electricians Licensing Board members, acting in their official capacity as a board member, may attend any continuing education course at no charge, at any time, [~~for no credit,~~]to monitor the quality of instruction.

R156-55b-401. [Scope of Practice]Conduct of Apprentice and Supervising Electrician.

~~[In accordance with Subsection 58-55-308(1), the following shall apply:]~~

(1) It shall be the responsibility of the journeyman, residential journeyman, master or residential master electrician who is licensed by the division to insure that the work installed by [~~himself, as well as by~~]any apprentice under his supervision, is properly installed. Proper and safe installations shall be the responsibility of the supervising party or parties.

(2) An apprentice [~~in a planned training program as set forth in Subsection 58-55-302(3)(f)(i)~~]may be supervised as a fourth year apprentice in the fifth and sixth year of apprenticeship.~~[; however, in]~~ In the seventh and succeeding years of apprenticeship, he shall be under immediate supervision as set forth in Subsection 58-55-302(3)(~~b~~)j(i).

(3) All other apprentices shall be under immediate supervision as set forth in Subsection 58-55-302(3)([h]j).

(4) For the purposes of Subsections 58-55-102([27]28), 58-55-501([17]12) and 58-55-302(3)([h]j), one of the following shall apply: ~~[apprentices and the licensed electricians responsible for their supervision shall be employees of the same contractor, or the employers of the supervising employees shall have a contractual responsibility for the performance of both the supervised and supervising employees. Employees of licensed professional employer organizations who provide workers under a contract with an electrical contractor shall be considered to be the employees of the electrical contractor for the purposes of this rule.]~~

(a) the supervisor and apprentice employees are employees of the same electrical contractor;

(b) the supervisor and apprentice employees providing work or supervision of work for another electrical contractor are considered as employees of the electrical contractor on the project; or

(c) the employees of a licensed professional organization who provide workers under a contract with an electrical contractor are considered as employees of the electrical contractor with regard to the work performed on the project.

R156-55b-501. Unprofessional Conduct.

"Unprofessional conduct" includes:

(1) failure of a licensee to carry a copy of ~~[their]~~a current license at all times when performing electrical work; ~~[and]~~

(2) failure of an electrical contractor to certify an ~~[apprentice's]~~electrician's hours and breakdown of work experience by category when requested by an ~~[apprentice that]~~electrician who is or has been an employee; and

(3) failure of a licensee to provide proof of completed continuing education within 30 days of the Division's request.

KEY: occupational licensing, licensing, contractors, electricians

Date of Enactment or Last Substantive Amendment: ~~[June 1, 2006]~~2008

Notice of Continuation: November 8, 2006

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-55-308(1)